

REMARKS/ARGUMENTS

Favorable consideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-8 are pending in the application; Claims 2-3 and 5-6 having been withdrawn from consideration, and Claim 4 is amended. No new matter is presented.

In the outstanding Official Action, Claim 4 was rejected under 35 U.S.C. § 101 as directed to non-statutory subject matter; and Claim 1 was indicated as allowed. Applicants appreciatively acknowledge the indication of allowable subject matter.

The outstanding Official Action states “Claim 4 is drawn to a computer program per se, and claims of this type constitute non-statutory subject matter under 35 U.S.C. § 101...”

In response, Claim 4 is amended to recite a “computer readable medium for storing a program...”, and therefore, recites a tangible computer readable medium to which the program is structurally and functionally interrelated. Thus, amended Claim 4 is directed to statutory subject matter.

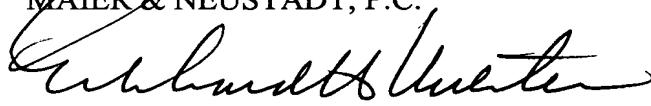
Accordingly, Applicants respectfully request that the rejection of Claim 4 under 35 U.S.C. § 101 be withdrawn.

Further, as Claim 4 recites substantially the same subject matter as allowed Claim 1, Applicants respectfully submit that Claim 4 patentably defines over the applied references for at least the same reasons as allowed Claim 1.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1-11 is not distinct and is patentably distinguishing over the applied references. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested.

Respectfully submitted,

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